

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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BANK OF LAS VEGAS, A NEVADA  
CORPORATION, AS SUCCESSOR BY  
STATUTORY MERGER TO DESERT  
COMMUNITY BANK,

Plaintiff,

v.

STEVEN R. COLE, SUZANNE  
WHITTAKER, DAN R. RICHARDS AND  
SOUTHWEST APPRAISAL ASSOCIATES  
INC.,

Defendants.

Case No. 2:12-cv-00940-MMD-VCF

ORDER

(Def.'s Emergency Mtn. to Stay  
– dkt. no. 31)

Before the Court is Defendant's Emergency Motion to Stay. (Dkt. no. 31.) Local Rule 7-5(d) establishes requirements for seeking court intervention to resolve an emergency dispute. In particular, counsel must demonstrate that the parties are unable to resolve their dispute "after personal consultation and sincere effort to do so" before seeking emergency relief. *Id.* Here, neither the Motion nor the supporting affidavit of counsel contains the certification required under Local Rule 7-5(d)(3). Accordingly, Defendant's Motion is DENIED.

DATED THIS 23<sup>rd</sup> day of January 2013.

  
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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE